

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Victor TRUJILLO-Roman,

Defendant

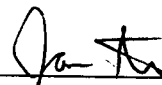
08 APR 29 AM 9:56'08 MJ 1339

) Magistrate Docket No.
) CLERK, U.S. DISTRICT COURT
) SOUTHERN DISTRICT OF CALIFORNIA
)
) BY: COMPLAINT FOR VIOLATION OF:
) DEPUTY
) Title 8, U.S.C., Section 1326
) Deported Alien Found in the
) United States
)
)
)

The undersigned complainant, being duly sworn, states:


On or about **April 28, 2008**, within the Southern District of California, defendant, **Victor TRUJILLO-Roman**, an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.



SIGNATURE OF COMPLAINANT
James Trombley
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 29th DAY OF APRIL 2008.



Nita L. Stormes
UNITED STATES MAGISTRATE JUDGE

CONTINUATION OF COMPLAINT:
Victor TRUJILLO-Roman

PROBABLE CAUSE STATEMENT

On April 28, 2008 Senior Border Patrol B. Lopez was conducting his assigned duties in the Imperial Beach Border Patrol Station area of operations. At approximately 6:00 a.m., Agent Lopez while patrolling his area, found fresh footprints heading away from the United States/Mexico International Border fence. This area is approximately four miles west of the San Ysidro, California Port of Entry and approximately three hundred yards north of the United States/ Mexico border.

After following the foot prints, Agent Lopez encountered a group of seven individuals. Agent Lopez identified himself as a U.S. Border Patrol Agent and questioned all seven individuals as to there citizenship and nationality. All the individuals including one later identified as the defendant **Victor TRUJILLO-Roman**, freely admitted to being citizens and nationals of Mexico illegally present in the United States. At approximately 7:00 a.m., all seven individuals including the defendant were arrested and transported to the Imperial Beach Border Patrol Station for processing.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico** on **February 25, 2008**, through the Port of Entry at **San Ysidro, California**. These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.